



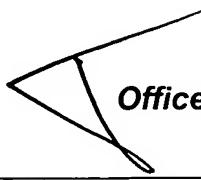
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,823	12/07/2001	John R. Moody	2324 (GP-00-41)	7822
40256	7590	01/13/2005	EXAMINER	
FERRELLS, PLLC P. O. BOX 312 CLIFTON, VA 20124-1706			BUTLER, MICHAEL E	
		ART UNIT		PAPER NUMBER
				3653

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

Office Action Summary	Application No.	Applicant(s)	R
	10/004,823	MOODY	
	Examiner Michael Butler	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 29 September 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-10,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10,21 and 22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17:2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

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## **DETAILED ACTION**

### ***Priority***

1. Applicant's claim of priority to provisional application 60/254591 filed 12/11/00 is acknowledged.

### ***Drawings***

2. New drawings will be required contingent upon allowance because the drawings were objected to by the draftsman/declared informal by the applicant.

### ***Election/Restriction***

3. Applicant's election of invention I, without traverse of the grouping but traversing the exclusion of claims 21-22 from group I of the restriction requirement in mailed 9/8/04 is acknowledged. Applicant's position on the inclusion of claims 21 and 22 is accepted, and the restriction requirement is made final. Claims 21 and 22 are now included in group I. The restriction grouping is made final.

4. The group II claims 11-20 were cancelled by the applicant.

### ***Claim Objections***

5. Claims 3, 5, and 10 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a referenced claim(s) from which they depend. Applicant has specified approximate midpoints without specifying the tolerance. As those tolerance may very well be the range applicant specified in the base claims, there has been no further limiting of the scope of the claim. These midpoint preferences of the base claims do not further limit the base claims' ranges.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

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The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 1-10 and 21-22 is/are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant is claiming a dispensing aperture that varies to a range of 80-90% of the transverse length of the towel yet has not provided as structure that is adjustable as a function of the towel length selected to properly accommodate a towel of such an arbitrarily selected length.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claim(s) 1-10 and 21-22 is/are rejected under 35 U. S. C. 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant claims an open ended range of “about” 80-90% the transverse length of the towel yet has not specified by what tolerance the “about” extends the range. In claim 3 applicant further attempts to distinguish the length of the slot to “about 85% of the transverse length” without defining how close a tolerance on “about” refers to, i.e. +/- 30%, 20%, 10%.. Similar indefinite variable range and tolerances are claimed in claims 4,5, 9, 10, and 21

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Applicant has premised dimensions of the slot upon an extrinsic unclaimed variable-the width of the towel that one happens to select to fill in the container. The determination of whether prior art or infringing devices read on the claims would vary depending upon what arbitrarily selected towel were chosen for placement in the system.

The applicant has conjoined elements using "or" (claim 1 L 5, claim 21 line 5) creating vague and indefinite language as to the scope of the claim protection sought-alternate embodiments or a devices capable of reconfiguration for C-fold towels only vs. interfolded towels only or a device capable of receiving either or a device capable of receiving reconfigureable stacks of towels of a C-fold vs. interfolded variation. It is not apparent whether applicant is claiming Appropriate correction is required. The claims have been otherwise examined on the merits presuming Boolean "OR."

Applicant has explicitly claimed an adapter plate in the dependent claims, yet has merely left it ambiguous as to whether he is limiting his claim to a stand alone adapter plate for use within a dispenser vs. an adapter plate only while placed within a dispenser.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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11. Claims 1-2, 4, and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Schutz et al. (5950863) which discloses all the claimed elements including:

(Re: cl 1) In a gravity feed towel dispenser for dispensing C-fold and interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture (fig 1; an adapter plate (20) for securing to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels (c8 L 1-30; c6 L 52-67; c5 1 27-67 and c6 L 1-6) (ratio t partially a function of towel selected and achieved with selection of towels available on the market, including the reference cited Ft. Howard Paper towels)

(Re: cl 2) (Previously presented) the adapter plate is an elongate member with a generally planar medial portion and further comprises a pair of terminal portions projecting outwardly and upwardly with respect to the planar medial portion at each end of adapter plate, such that the terminal portions are upwardly inclined with respect to the medial portion of the plate (fig 1-3)

(Re: cl 4). (Previously presented) (2) the upwardly inclined terminal portions have an angle of inclination of from about 10 to about 30 degrees with respect to the generally planar medial portion of the adapter plate (48; FIG 1,3; c6 L 27-52 WITH c7 L 60-c8 L 30; c5 1 28-58)

(Re: cl 7) (Previously presented) (2) adapter plate is configured to define a central enlarged portion of the dispensing aperture and two restricted terminal portions of the dispensing aperture each of the portions having a span perpendicular to the length of the dispensing aperture (fig 1-6)

(Re: cl 8) (7), wherein enlarged central portion has a span of at least about twice the span of the restricted terminal portions (c8 L 1-30; c6 L 52-67; c5 1 27-67 and c6 L 1-6)

(Re: cl 9) (Previously presented) (8), wherein the terminal portions of the dispensing aperture have a span of from about 20 to about 40 percent of the width of interfolded towels corresponding thereto (C7 1 57-C8 1 30).

12. Claims 1-5 and 7-10 rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Schutz et al. which discloses the elements previously discussed and further discloses elements specifying optimal

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centerpoints of ranges that also coincide with the center points of base claims, yet omit any further without specifying tolerance limits of those specified limits.

(Re: cl 3) (Previously presented) (2) elongated dispensing aperture is abridged to a length, L', of about 85 percent of the transverse length L of C-fold or interfolded towels

(Re: cl 5) (Previously presented) (4) the upwardly inclined terminal portions have an angle of inclination of about 20 degrees with respect to the generally planar medial portion of the adapter plate (c5 l 28-58)

(Re: cl 10) (Previously presented) (9) wherein restricted terminal portions of aperture have a span of about 30 percent of the width of interfolded towels corresponding thereto and a collective length of at least about 40 percent of the abridged length L' of dispensing aperture (C7 L 57-C8 L 30).

As Schutz et al. anticipates with room to spare the broader limits of the range of the same centerpoint specified in base claims, it already discloses "an aperture about 85 percent of the transverse length of the towels or about 20 degrees with respect to the generally planar medial portion of the adapter plate, or having an aperture span about 30 percent of the width of the interfolded towels.

13. Claims 1-10 and 21-22 are rejected under 35 U.S.C. 102(b) as being anticipated

by Morand (6003723) which discloses all the claimed elements including:

(Re: cl 1) In a gravity feed towel dispenser for dispensing C-fold and interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture (fig 1; an adapter plate (20) for securing to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels (c1 L 44-58, ratio t partially a function of towel selected and achieved with selection of towels available on the market; c4 L 52-c5 L 38)

(Re: cl 2) (Previously presented) the adapter plate is an elongate member with a generally planar medial portion and further comprises a pair of terminal portions projecting outwardly and upwardly with respect to the planar medial portion at each end of adapter plate, such that the terminal portions are upwardly inclined with respect to the medial portion of the plate (20 fig 1&7)

(Re: cl 3) (Previously presented) (2) elongated dispensing aperture is abridged to a length, L', of about 85 percent of the transverse length L of C-fold or interfolded towels (30 fig 1; c4 L 52-c5 L 38)

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(Re: cl 4). (Previously presented) (2) the upwardly inclined terminal portions have an angle of inclination of from about 10 to about 30 degrees with respect to the generally planar medial portion of the adapter plate (c4 L 52-c5 L 38)

(Re: cl 5) (Previously presented) (4) the upwardly inclined terminal portions have an angle of inclination of about 20 degrees with respect to the generally planar medial portion of the adapter plate (20 fig 1&7)

(Re: cl 6) (Original) (2) pivotally secured to the lower portion of gravity-feed towel dispenser (c6 L 52-63)

(Re: cl 7) (Previously presented) (2) adapter plate is configured to define a central enlarged portion of the dispensing aperture and two restricted terminal portions of the dispensing aperture each of the portions having a span perpendicular to the length of the dispensing aperture (20 fig 1 &7; c4 L 52-c5 L 38)

(Re: cl 8) (7), wherein enlarged central portion has a span of at least about twice the span of the restricted terminal portions (c6 L 63-c7 L 3)

(Re: cl 9) (Previously presented) (8), wherein the terminal portions of the dispensing aperture have a span of from about 20 to about 40 percent of the width of interfolded towels corresponding thereto (c6 L 63-c7 L 3)

(Re: cl 10) (Previously presented) (9) wherein restricted terminal portions of aperture have a span of about 30 percent of the width of interfolded towels corresponding thereto and a collective length of at least about 40 percent of the abridged length L' of dispensing aperture (c6 L 63-c7 L 3)

(Re: cl 21) (Previously presented) In a gravity-feed towel dispenser for dispensing C-fold and I -interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater, towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture, dispenser being of the class that are moved forwardly for reloading;

the improvement comprising an adapter plate secured to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels (c1 L 44-58, ratio t partially a function of towel selected and achieved with selection of towels available on the market; c4 L 52-c5 L 38) wherein the adapter plate is pivotally secured to the dispenser to accommodate reloading (20 fig 1 &7; c4 L 52-c5 L 38)

(Re: cl 22) (Previously presented) (21) adapter plate is pivotally secured to the sidewalls of the dispenser (c1 L 44-58, ratio t partially a function of towel selected and achieved with selection of towels available on the market; c4 L 52-c5 L 38 ; 20 fig 1 &7; c4 L 52-c5 L 38).

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14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claims 1-8 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gettelman et al. (5957324) in view of the Bobrick 363 model towel dispenser (bearing a 3/81 copyright date on the interior instruction panel and having been in use in the USPTO Crystal Park 5 restrooms since at least 1999) in which Gettelman et al discloses:

(Re: cl 1) In a gravity feed towel dispenser for dispensing C-fold and interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture (fig 1); an adapter plate (22) for securing to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to (c2 L 24-42)

(Re: cl 6) (Original) (2) pivotally secured to the lower portion of gravity-feed towel dispenser (c2 L 47-59 ; fig 4-5)

(Re: cl 7) (Previously presented) (2) adapter plate is configured to define a central enlarged portion of the dispensing aperture and two restricted terminal portions of the dispensing aperture each of the portions having a span perpendicular to the length of the dispensing aperture (fig 3)

(Re: cl 21) (Previously presented) In a gravity-feed towel dispenser for dispensing C-fold and I -interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater, towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture, dispenser being of the class that are moved forwardly for reloading;

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the improvement comprising an adapter plate secured to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels, wherein the adapter plate is pivotally secured to the dispenser to accommodate reloading (c2 L 47-59 ; fig 4-5)  
(Re: cl 22) (Previously presented) (21) adapter plate is pivotally secured to the sidewalls of the dispenser ( c2 L 47-59 ; fig 4-5).

The Bobrick '363 model towel dispenser includes dimensions of a 9.75" dispensing slot and a towel magazine capable of holding 11.00" wide towels and further disclosing:

a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels

(Re: cl 2) (Previously presented) the adapter plate is an elongate member with a generally planar medial portion and further comprises a pair of terminal portions projecting outwardly and upwardly with respect to the planar medial portion at each end of adapter plate, such that the terminal portions are upwardly inclined with respect to the medial portion of the plate (Bobrick '361)

(Re: cl 3) (Previously presented) (2) elongated dispensing aperture is abridged to a length, L', of about 85 percent of the transverse length L of C-fold or interfolded towels (9.75" dispensing slot)

(Re: cl 4) (Previously presented) (2) the upwardly inclined terminal portions have an angle of inclination of from about 10 to about 30 degrees with respect to the generally planar medial portion of the adapter plate (inclination reaches

(Re: cl 5) (Previously presented) (4) the upwardly inclined terminal portions have an angle of inclination of about 20 degrees with respect to the generally planar medial portion of the adapter plate (fig 2)

(Re: cl 8) (7), wherein enlarged central portion has a span of at least about twice the span of the restricted terminal portions (.75" to 2.5").

It would have been obvious for the Gettlemann et al. retrofit adapter to have dimensions selected from those used in the proven Bobrick 363 towel dispenser because such dispenser has proven itself effective in minimizing multiple dispensed towels and fall through and come up with the instant invention.

16. Claims 1-10 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frazier et al. 5322186 in view of the Morand wherein Frazier discloses:

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(Re: cl 1) In a gravity feed towel dispenser for dispensing C-fold and interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture (fig 1); an adapter plate for securing to bottom portion of towel dispenser configured to abridge the length of dispensing aperture (c3 L 22-43)

(Re: cl 2) (Previously presented) the adapter plate is an elongate member with a generally planar medial portion and further comprises a pair of terminal portions projecting outwardly and upwardly with respect to the planar medial portion at each end of adapter plate, such that the terminal portions are upwardly inclined with respect to the medial portion of the plate (c4 L 51-c5 L 2)

(Re: cl 3) (Previously presented) (2) elongated dispensing aperture is abridged to a length, L', of about 85 percent of the transverse length L of C-fold or interfolded towels (18/74 fig 10; c4 L 51-c5 L 2)

(Re: cl 6) (Original) (2) pivotally secured to the lower portion of gravity-feed towel dispenser (c4 L 51-c5 L 2)

(Re: cl 7) (Previously presented) (2) adapter plate is configured to define a central enlarged portion of the dispensing aperture and two restricted terminal portions of the dispensing aperture each of the portions having a span perpendicular to the length of the dispensing aperture (74/18 fig 10)

(Re: cl 8) (7), wherein enlarged central portion has a span of at least about twice the span of the restricted terminal portions (74/18 fig 10)

(Re: cl 9) (Previously presented) (8), wherein the terminal portions of the dispensing aperture have a span of from about 20 to about 40 percent of the width of interfolded towels corresponding thereto (74/18 fig 10)

(Re: cl 10) (Previously presented) (9) wherein restricted terminal portions of aperture have a span of about 30 percent of the width of interfolded towels corresponding thereto and a collective length of at least about 40 percent of the abridged length L' of dispensing aperture (74/18 fig 10)

(Re: cl 21) (Previously presented) In a gravity-feed towel dispenser for dispensing C-fold and I -interfolded towels having a transverse length, L, through an elongated bottom dispensing aperture having a length of L or greater, towel dispenser including means for defining a top portion, a front wall, a back wall and a pair of side walls of towel dispenser, as well as a bottom portion collectively defining an interior for receiving a stack of C-fold or interfolded towels to be dispensed through aperture, bottom portion of towel dispenser defining elongated bottom dispensing aperture, dispenser being of the class that are moved forwardly for reloading;

the improvement comprising an adapter plate secured to bottom portion of towel dispenser configured to abridge the length of dispensing aperture to a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels, wherein the adapter plate is pivotally secured to the dispenser to accommodate reloading (c3 L 22-43)

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(Re: cl 22) (Previously presented) (21) adapter plate is pivotally secured to the sidewalls of the dispenser (c4 L 51-c5 L 2)

Morand discloses any elements not explicitly taught by Morand including:

dispensing aperture having a length L' of from about 80 percent to about 90 percent of transverse length, L, of C-fold or interfolded towels (c1 L 44-58, ratio t partially a function of towel selected and achieved with selection of towels available on the market; c4 L 52-c5 L 38)

(Re: cl 4) (Previously presented) (2) the upwardly inclined terminal portions have an angle of inclination of from about 10 to about 30 degrees with respect to the generally planar medial portion of the adapter plate (c4 L 52-c5 L 38)

(Re: cl 5) (Previously presented) (4) the upwardly inclined terminal portions have an angle of inclination of about 20 degrees with respect to the generally planar medial portion of the adapter plate (20 fig 1&7).

It would have been obvious for Frazier to have a dispensing aperture of about 80 to 90 percent of the towel length and preferably 85% to minimize fallout and double dispensing as taught by Morand and come up with the instant invention.

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***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Michael E. Butler whose telephone number is (703) 308-8344.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh, can be reached on (703) 306-4173. The fax number for the Group is (703) 305-7687.



Michael E. Butler

Examiner



DONALD P. WALSH  
SUPERVISORY PATENT EXAMINER  
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